

Chapter 6

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6.1 SEPARATION

6.1.1 RESIGNATION¹

Any faculty member who does not plan to be employed by Jacksonville State University for the next academic year shall submit a written resignation to their immediate supervisor by March 15 of each year. Tenure is relinquished upon resignation.

6.1.2 RETIREMENT²

Tenure is relinquished upon retirement from the university.

6.1.3 NON-REAPPOINTMENT OF NON-TENURED FACULTY³

Full-time non-tenured faculty members (instructors and tenure-track) are employed by contract on a year-to-year basis. The option to extend or renew a faculty appointment and contract rests solely and exclusively with the university. Further, the faculty member is under no obligation to agree to an extension or renewal. A non-tenured faculty member shall not have expectancy of appointment for the next academic year. The Provost and Executive Vice President for Academic Affairs shall notify the faculty member, in writing, of their non-reappointment. Generally, JSU will provide instructors and non-tenured faculty written notice of non-reappointment by March 1. However, JSU reserves the right to send such notice up until such time as an employment contract for the following year is executed.

6.1.4 EXPIRED TENURE⁴

Tenure expires upon an event of permanent inability of a faculty member to continue to perform their assigned duties.

6.1.5 AUTOMATIC RESIGNATION⁵

A faculty member shall automatically forfeit and waive their tenure or contract upon failure to report for service at the designated date of the beginning of any academic term. Such failure to report shall be deemed to be a resignation unless the faculty member has shown good cause for such failure to report. The burden of establishing good cause shall rest upon the faculty member. The President's decision as to whether the affected faculty member has established good cause shall be final.

6.2 DISCIPLINE, ADMINISTRATIVE LEAVE, AND DISMISSAL

6.2.1 DISCIPLINE POLICY

¹ Revised 06/2023

² Revised 06/2023

³ Revised 06/2023

⁴ Revised 06/2023

⁵ Revised 06/2023

Problem-Solving and Discipline Policy⁶

In dealing with problem solving and discipline, a series of communications and informal actions must occur to facilitate positive modification of behavior. In such instances, department heads, directors, and other supervisors must use the sequence of progressive steps specified below.

Aid to Memory: The supervisor will discuss the matter with the faculty member. A written summary of the discussion will be placed in the faculty member's personnel file.

Written Notice: The supervisor will provide written notice to the faculty member regarding the inappropriate behavior/action. This action will be retained in the individual's personnel file.

Actions Referencing Disciplinary Recommendations. The supervisor will notify the faculty member in writing of continued unacceptable behavior and describe some appropriate disciplinary action to be taken.

Suspension⁷

The Provost and Executive Vice President for Academic Affairs may suspend a faculty member, with or without salary and benefits, from their assigned duties at the Provost and Executive Vice President for Academic Affairs' discretion to safeguard the health and safety of faculty, students, or employees of the university; to prevent a disruption of normal operations of the university; or upon the recommendation of a department head and dean. A faculty member may appeal their suspension to the University Hearing Committee (UHC), if salary and benefits have been suspended. See UHC procedures.

6.2.2 DISMISSAL⁸

A faculty member with tenure, or a faculty member on a tenure-track appointment prior to the end of the appointment, or a faculty member on a temporary appointment prior to the end of the appointment, may be dismissed. It is impossible to list all potential disciplinary problems and the various circumstances that may lead to dismissal. In general, reasons for dismissal may include, but may not be limited to, the following:

1. Inability, refusal, or failure to perform the duties or responsibilities for which the faculty member was employed.
2. Unexcused absenteeism.
3. Refusal or failure to comply with the policies of the university, school, or department.
4. Insubordination or refusal or failure to perform specific assignments designated by a supervisor.
5. Dishonesty.
6. Illegal or improper use of narcotics or intoxicants or a violation of the university's drug and alcohol policy.
7. Violation of academic or professional ethics.
8. Unauthorized disclosure of confidential information.

⁶ Revised 06/2023

⁷ Revised 06/2023

⁸ Revised 06/2023

9. Commission of a criminal act defined as a felony or as a crime involving moral turpitude.

6.2.3 PROCEDURES FOR DISMISSAL FOR ADEQUATE CAUSE OR TERMINATION FOR FINANCIAL OR CURRICULAR REASONS⁹

The Provost and Executive Vice President for Academic Affairs shall notify the faculty member, in writing, of their dismissal or termination. The notice shall state reasons for dismissal or termination and inform the faculty member of their right to request an appeal/hearing. Should the dismissed/terminated faculty member desire to appeal the dismissal, an appeal may be allowed, provided the dismissed faculty member requests such appeal in writing. The written request for appeal may be emailed within 7 working days from the date of the faculty member's notice of dismissal. Failure to request an appeal to the Provost and Executive Vice President for Academic Affairs within 7 working days from the date of delivery precludes any further appeal by the faculty member and the dismissal is final.

If a hearing is requested in a timely fashion, an appeal/hearing will be conducted by the university hearing committee (UHC).

6.2.4 DISMISSAL/TERMINATION APPEAL TO THE UNIVERSITY HEARING COMMITTEE¹⁰

The University Hearing Committee (UHC) is the university's dismissal/termination appeals committee.

The UHC shall consist of the following:

- a. Vice Provost, as chair (ex- officio)
- b. One dean, appointed by the Provost
- c. One department head, appointed by the Provost
- d. President of the Faculty Senate
- e. Two faculty members, appointed by the President of the Faculty Senate
- f. One faculty member, appointed by the Provost

2. Members deeming themselves disqualified because of bias or interest shall remove themselves from the UHC. The Provost and Executive Vice President for Academic Affairs and/or the President of the Faculty Senate shall make new or substitute appointments as needed.
3. Replacements or substitutes shall be chosen in the manner described above. In the event that the Faculty Senate President is disqualified for some reason, the Vice President of the Faculty Senate shall assume the President's role and function.
4. At least 20 days prior to the scheduled hearing date, the chair of the UHC shall serve notice of the meeting, stating time, place, and the specific issues, appeals, and/or charges that have been made. Except for such simple publicity announcements as may be required (such as the time of the hearing and similar matters), public

⁹ Revised 06/2023; 08/2025

¹⁰ Revised 06/2023; 08/2025

statements and publicity about the appeal by either the faculty member or administrative officers shall be avoided.

5. At the hearing, the faculty member shall have the opportunity to present their appeal. The UHC may request other parties to testify as circumstances dictate. The committee shall not be bound by strict rules of legal evidence and may admit any evidence that is of value in determining the issues involved. Every effort shall be made to obtain the most reliable information available. The findings of fact and the decision shall be based on the hearing record. The hearing records, including all related documents and exhibits, shall be the property of the university.
6. Following the hearing, the UHC shall make its written recommendation to the Provost and Executive Vice President for Academic Affairs. Its recommendation shall be based upon the preponderance of the evidence in the record considered as a whole. A copy of the recommendation shall be mailed to the faculty member who filed the appeal.
7. The Provost and Executive Vice President for Academic Affairs shall review the recommendation of the UHC and shall affirm or deny the appeal. Unless there is a claim of denial of procedural due process, the decision of the Provost and Executive Vice President for Academic Affairs is final.
8. An appeal may be made to the President only on the basis of denial of procedural due process. All appeals shall be in writing and must be within 7 days of the date of the Provost and Executive Vice President for Academic Affairs' decision. The faculty member must demonstrate, in writing, to the President that a necessary policy or procedure was not followed in their appeal. In that case, the President shall review all relevant records and shall affirm or deny the appeal. In all such cases, the decision of the President is final. If the President determines that all policies and procedures were followed, the decision of the Provost and Executive Vice President for Academic Affairs is final.

6.3 LAYOFFS

6.3.1 FINANCIAL EXIGENCY¹¹

According to the procedures outlined in the Financial Exigency Policy, contained in the Jacksonville State University Manual of Policies and Procedures, the university may terminate or reduce the contract rights of tenured and non-tenured faculty members, when the board of trustees, in consultation with the president, determines that the university is faced with financial exigency.

6.4 FACULTY GRIEVANCE

¹¹ Revised 06/2023

6.4.1 FACULTY GRIEVANCE POLICY¹²

The JSU faculty grievance policy is designed to ensure that faculty (including administrative faculty) have a safe and healthy work environment and that their rights are protected. When a faculty member has a concern about their workplace, they should begin with informal discussions with their supervisor (e.g., department head or dean) to resolve the situation (which may involve the supervisor or faculty member consulting Human Resources for guidance). In the rare instance when a concern or situation cannot be resolved informally with their supervisor or their supervisor's supervisor (e.g., department head and dean) in a timely manner, the faculty member may choose to begin the formal grievance procedure.

Grievance Definition

A grievance is a written allegation or complaint in which a faculty member ("Grievant") believes that existing University or Faculty Handbook policies and/or procedures have been violated, misinterpreted and/or improperly applied, including the expectation of civility in behavior and discourse within the University setting (Faculty Handbook, Section 2.2.8), which is viewed by the Grievant as unfair, inequitable, or a hindrance to their effective work performance, except as limited below.

Exclusions

Section 6.4 does not apply to the following issues or allegations, in which case faculty should follow University or Faculty Handbook policy, if applicable:

- Non-reappointment of non-tenured faculty (see the Faculty Handbook, Section 6.1.3)
- Denial of promotion and/or tenure (see the Faculty Handbook, Section 5.2.10)
- Imposition of discipline, being placed on administrative leave, or dismissal (see the Faculty Handbook, Section 6.2)
- Layoffs due to financial exigency or discontinuance of a program or department for educational reasons (see the Faculty Handbook, Section 6.3)
- Allegations of sexual harassment¹³
- Allegations related to Title IX¹⁴
- Allegations of misconduct in research¹⁵
- Allegations of violation of JSU's substance abuse policy¹⁶
- Allegations of nonreporting of arrests/convictions¹⁷
- Your selection of employee benefits
- Your work with third parties
- Grievances involving any Cabinet-level administrator¹⁸

¹² Revised 05/2025; 08/2025

¹³ Policy and procedures outlined in [Policy I:02:05 Sexual Harassment](#)

¹⁴ Policy and procedures outlined in [Policy I:01:25 Sex-Based Harassment and Misconduct Policy](#)

¹⁵ Policy and procedures outlined in [Policy II:06 Misconduct in Research and Other Scholarly Activities](#)

¹⁶ Policy and procedures outlined in [Policy I:02:13 Substance Abuse](#)

¹⁷ Policy and procedures outlined in [Policy I:02:24 Employee Mandatory Self-Reporting of Criminal Offenses](#)

¹⁸ These go to the JSU President for consideration, who shall resolve the matter as they deem appropriate.

Procedure

The following section outlines the procedure by which faculty members may lodge a formal grievance. This procedure is designed to ensure there is a fair and transparent process for faculty to follow so their grievance may be heard and addressed. Faculty using this procedure will be entitled to do so without fear of retaliation, interference, coercion, or discrimination. For the purposes of this policy, the phrase “in writing” shall include electronic communication, such as email or dynamic forms.

6.4.2 FORMAL GRIEVANCE PROCESS¹⁹

Formal grievances must be submitted in writing using the “JSU Faculty Grievance Form.” The Grievant should include information regarding the nature of the dispute, including specific facts and the outcome they are seeking, steps taken to resolve the grievance informally, and relevant documents or other information pertinent to the matter. The Grievant will also ensure that the grievance does not fall under an excluded category. The form will be routed to the Director of Human Resources and Provost/EVPAA. The JSU Faculty Grievance Form must be submitted within 180 days of the occurrence of the incident claimed to have given rise to the grievance. For repetitive or ongoing incidents or circumstances, the grievance must be filed within 180 days of the last occurrence of such incident or circumstance. Any claim not presented within the time frame provided shall be deemed to have been waived, except as described in this policy.

Within ten (10) business days of receipt of the JSU Faculty Grievance Form, the Human Resources Department, in consultation with University Counsel if needed, shall conduct a review of the grievance to ensure that the grievance was filed in a timely manner (within 180 days of the last occurrence of the event) and is not on the list of excluded grievances. If there is a question regarding timeliness or whether the action falls under this procedure, the Human Resources Department may request additional information from the Grievant. If the Human Resources Department determines that, on its face, the grievance is untimely or that this process is not available for the challenged action, the Human Resources Department shall dismiss the grievance and shall inform the Grievant and Provost/EVPAA in writing. Other than the review of the grievance described above, the Human Resources Department shall not conduct any further review or evaluate the factual merits of the grievance.

If the Human Resources Department determines that the grievance is actionable under this policy, they shall forward the grievance form to the appropriate supervisor(s), which in most cases would be the Grievant’s department head and dean, as well as copying the Provost/EVPAA and the Grievance Committee Chair. If the grievance is with a Faculty Senate representative or officer who was acting on behalf of Faculty Senate, the grievance will be directed to the President of Faculty Senate (or other Executive Committee member if the grievance is with the President of Faculty Senate), Grievance Committee Chair, and the Provost/EVPAA. (In this case, the informal process would begin with contacting the faculty member’s Senate representative.)

¹⁹ Revised 05/2025

The supervisor(s) will provide email confirmation of receipt of the grievance, along with an estimated timeline for response to the grievance, within ten (10) business days to all parties originally copied. This formal response may include written documentation of steps previously undertaken to solve the complaint before the formal grievance was filed (if applicable). The supervisor(s) may also ask for a formal meeting with the Grievant to attempt to resolve the situation.

If a formal meeting is requested, the Grievant may choose another current JSU employee to attend the meeting to serve as witness to the meeting, but that employee shall not speak at the meeting. The supervisor(s) may choose another administrative employee to attend the meeting to serve as witness to the meeting, but that employee shall not speak at the meeting. Neither the Grievant nor the supervisor(s) may be accompanied by or represented by legal counsel; however, the supervisor(s) may seek advice from Human Resources or University Counsel before the meeting to provide guidance and ensure adherence to appropriate University policies, Handbook policies (including exclusions from the grievance process), and state and federal laws.

If the grievance is satisfactorily resolved with the supervisor(s), the Grievant will email all parties included on the initial communication to the supervisor and the case will be closed. However, if the supervisor(s) believe they cannot successfully resolve the grievance, if the Grievant indicates the resolution is not satisfactory, or if the supervisor has not addressed the grievance within the communicated timeframe, the grievance shall move to the Faculty Grievance Committee for arbitration.

The Grievance Committee Chair will communicate in writing the time and location of a meeting ("Grievance Meeting") with the Grievant and the Grievance Committee (see Appendix A for committee composition) within ten (10) business days of receipt of the unresolved grievance. The Provost/EVPAA and Human Resources shall be copied on all communication between the Grievance Committee Chair and the Grievant.

At the initial Grievance Meeting, the Grievant will present their grievance and answer questions asked by the committee. At the conclusion of this meeting, the Grievance Committee will determine whether subsequent meeting(s) are required. The Grievant and supervisor(s) may be asked to present additional evidence to the Committee. The Grievant, supervisor(s), or Grievance Committee may request witnesses with testimony pertinent to the case. As the meeting process is designed to be non-confrontational, only the Committee members will be allowed to question witnesses. The Grievance Committee may consult the Human Resources Department or University Counsel for advice on resolving grievances (except for grievances involving an action taken against the Grievant by the Human Resources Department, in which case the Chief Financial Officer shall serve as an advisor).

When the Grievance Committee members determine that they have heard enough evidence to provide a recommendation, or they determine that a resolution is not possible or is not appropriate, the Chair shall report findings and recommendations to the Grievant and to the Provost/EVPAA in writing within seven (7) business days following the Grievance Meeting. Upon receipt of the Grievance Committee's findings and recommendations, the Provost/EVPAA shall render the final decision regarding the Formal Grievance. The Provost's Office shall provide a written notification of the final decision to the Grievant, supervisor(s), and the members of the Grievance Committee (who shall keep the decision confidential). If the final decision differs from the Grievance Committee's recommendation, the notification shall include a statement to that effect.

Alternatively, the Grievance Committee may seek to bring about a settlement of the grievance satisfactory to the Grievant and supervisor(s). If a mutually agreeable settlement is reached, then the Formal Grievance shall be considered resolved. The Grievance Committee Chair shall provide a written notification of the resolution, describing the mutually agreeable settlement, to the Human Resources Department and the Provost/EVPAA.

The Provost/EVPAA may grant a reasonable extension of the applicable time limit at each stage of the grievance procedure upon the timely showing of good cause. The request for an extension and the approval or denial of the request must be in writing.

A faculty member may withdraw a grievance at any stage in the process. The withdrawal of a grievance must be submitted in writing to the Chair of the Grievance Committee and Provost/EVPAA.